

# UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF ALABAMA

UNITED STATES OF AMERICA	)	<b>ORDER OF TEMPORARY DETENTION</b>
	)	<b>PENDING HEARING PURSUANT TO</b>
	)	<b>BAIL REFORM ACT</b>
v.	)	
	)	
	)	CASE NO. 2:07-MJ-10-CSC
CLARANCE EARL BIVINES	)	
	)	

## ORDER ON MOTION

Upon consideration of the *Government's Motion for Detention Hearing* (Doc. #3), it is **ORDERED** that the motion be and is hereby **GRANTED**, that the detention hearing and preliminary hearing in the above case be and is hereby set for **February 6, 2007 at 3:00 p.m.** in The Frank M. Johnson, Jr. Federal Building and United States Courthouse Complex, Montgomery, Alabama, in the Fourth Floor Courtroom, Room 5-B, before the undersigned Magistrate Judge.

Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

DONE, this 1<sup>st</sup> day of February, 2007.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE

---

\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon the motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2). A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.